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4 **ATTORNEY FOR PLAINTIFF**

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6 **UNITED STATES DISTRICT COURT**
7 **NORTHERN DISTRICT OF CALIFORNIA**
8 **SAN JOSE DIVISION**

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CATHERINE WELLS, and CLARENCE) WELLS,)) Plaintiff,)) v.) GC SERVICES LIMITED PARTNERSHIP,))) Defendants.))	CIV. NO. C06-03511 RMW PLAINTIFF'S CMC STATEMENT, REQUEST TO APPEAR BY PHONE and PROPOSED ORDER Date: March 28, 2008, Time: 10:30 a.m. 9:00 AM HON. PATRICIA V. TRUMBULL
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With the assistance of Hon. Howard Lloyd, the parties resolved this matter at a Settlement Conference on February 11, 2008. Defendants were to complete the settlement by March 12, 2008. Defendants have breached the terms of the settlement agreement that were placed on the record with Judge Lloyd.

Plaintiffs already had the court continue the March 14, 2008 Case Management Conference (CMC), to give Defendant more time to complete the settlement. In continuing the CMC to March 28, 2008 Judge Whyte indicated there would be no further continuances. Thus, Plaintiffs filed a Motion to Enforce the Settlement today, to be heard April 25, 2008. The court has informed the parties Magistrate Judge Trumbull will be presiding over the March 28, 2008 CMC.

1 Plaintiffs' counsel, Ronald Wilcox, will be out of state on March 28, 2008. Thus,
2 Plaintiffs' co-counsel, Peter F. Barry (appearing pro hac vice from Minneapolis, MN),
3 respectfully requests to appear at the CMC via telephone.

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5 Dated: 3/21/08

6 /s/Ronald Wilcox
Ronald Wilcox, Counsel for Plaintiffs

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8 [Proposed] Order

9 Plaintiffs' counsel is allowed to appear by telephone at the March 28, 2008 Case
10 Management Conference.

11 **IT IS SO ORDERED.**

12 Date: 3/25/08

13 Patricia V. Trumbull
14 HON. P. TRUMBULL
15 U.S. MAGISTRATE JUDGE